

### **IC 12-16.1-3**

#### **Chapter 3. Eligibility for Assistance**

*Effective 7-1-2003.*

#### **IC 12-16.1-3-1**

##### **Eligibility of Indiana residents**

*Effective 7-1-2003.*

Sec. 1. (a) An Indiana resident who meets the income and resource standards established by the division under section 3 of this chapter is eligible for assistance to pay for any part of the cost of care provided in a hospital in Indiana that was necessitated after the onset of a medical condition that was manifested by symptoms of sufficient severity that the absence of immediate medical attention would probably result in any of the following:

- (1) Placing the individual's life in jeopardy.
- (2) Serious impairment to bodily functions.
- (3) Serious dysfunction of a bodily organ or part.

(b) A qualified resident is also eligible for assistance to pay for the part of the cost of care that is a direct consequence of the medical condition that necessitated the emergency care.

*As added by P.L.283-2001, SEC.31.*

#### **IC 12-16.1-3-2**

##### **Eligibility of nonresidents**

*Effective 7-1-2003.*

Sec. 2. (a) An individual who is not an Indiana resident is eligible for assistance to pay for the part of the cost of care provided in a hospital in Indiana that was necessitated after the onset of a medical condition that was manifested by symptoms of sufficient severity that the absence of immediate medical attention would probably result in any of the following:

- (1) Placing the individual's life in jeopardy.
- (2) Serious impairment to bodily functions.
- (3) Serious dysfunction of any bodily organ or part.

(b) An individual is eligible for assistance under subsection (a) only if the following qualifications exist:

- (1) The individual meets the income and resource standards established by the division under section 3 of this chapter.
- (2) The onset of the medical condition that necessitated medical attention occurred in Indiana.

*As added by P.L.283-2001, SEC.31.*

#### **IC 12-16.1-3-3**

##### **Adoption of income and eligibility standards**

*Effective 7-1-2003.*

Sec. 3. (a) The division shall adopt rules under IC 4-22-2 to establish income and resource eligibility standards for patients whose care is to be paid for under the hospital care for the indigent program.

(b) To the extent possible, rules adopted under this section must meet the following conditions:

(1) Be consistent with IC 12-15-21-2 and IC 12-15-21-3.

(2) Be adjusted at least one (1) time every two (2) years.

(c) The income and eligibility standards established under this section do not include any spend down provisions available under IC 12-15-21.

(d) In addition to the conditions imposed under subsection (b), rules adopted under this section must exclude a Holocaust victim's settlement payment received by an eligible individual from the income and eligibility standards for patients whose care is to be paid for under the hospital care for the indigent program.

*As added by P.L.283-2001, SEC.31.*

#### **IC 12-16.1-3-4**

##### **Providing patients statement of eligibility and benefit standards**

*Effective 7-1-2003.*

Sec. 4. A hospital shall provide a patient and, if the patient is not able to understand the statement, the patient's representative with a statement of the eligibility and benefit standards adopted by the division if at least one (1) of the following occurs:

(1) The hospital has reason to believe that the patient may be indigent.

(2) The patient requests a statement of the standards.

*As added by P.L.283-2001, SEC.31.*